

Serial No. 10/521,904**Atty. Doc. No. 2002P11788WOUS****REMARKS**

Applicants have canceled claims 19, 22, 23, 29 and 30, and added new claims 31 - 34. Claims 16 - 18, 20, 21, 24 - 28, and 31 - 34 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the following remarks.

Response to Objections to Claims and Specification:

The examiner has objected to claims 16 - 18, 20, 21 and 24 - 28. Applicants have amended the claims and specification in accordance with the examiners recommendation. Applicants respectfully request withdrawal of the objections to the claims and specification.

Response To Rejections Under Section 102:

The examiner has rejected claims 16 - 18, 21, 24, 25 and 28 under 35 USC 102(b) as being anticipated by Fujioka et al. (US 5,794,448) or Cloyd et al. (US 5,255,505). Applicants have amended independent claims 16 to recite a further heat exchanger connected in parallel with the heat exchanger system that variably transfers an additional quantity of heat from the cooling air that is not required to preheat the combustion gas. Applicants have also amended independent claim 24 to recite variably extracting an additional quantity of heat from the cooling air that is not required to preheat the combustion gas.

Fujioka et al. does not recite a further heat exchanger, let alone variably extracting or transferring an additional quantity of heat from the cooling air that is not required to preheat the combustion gas as claimed by applicants.

Cloyd et al. does not recite a further heat exchanger that variably extracts or transfers an additional quantity of heat from the cooling air that is not required to preheat the combustion gas. Additionally, Figure 3 of Cloyd et al. as noted by the examiner shows only a single heat exchanger (71), not a further heat exchanger as claimed by applicants.

Dependent claims 17, 18, 20, 21 and 24 - 28 are allowable based on their dependency from claims 16 and 24 as well as based on their own merit. Applicants respectfully request allowance of claims 16 - 18, 20, 21, 24 - 28 and 31 - 34.

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Discussion of New Claims 31 - 34:

Applicants have added new claims 31 - 34 to further describe additional features of applicants invention. In particular claims 31 and 33 further define the invention as providing an additional quantity of heat to a liquid as a vaporization heat. Claims 32 and 34 further define the invention as the liquid being a working fluid of a kettle boiler.

Conclusion


The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

No new matter has been added by way of the substitute specification.

The amendments are not made for purposes of patentability.

Respectfully submitted,

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